

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date	10-03-07	Judge	M. ARNOLD	Dept: CE88
Honorable		Judge Pro Tem	R. WILLIAMS	Deputy Clerk
Honorable	SCOTT M. GORDON	Deputy Sheriff	GINGER WELKER, CSR#5585	Court Assistant
35	S. VARTAZAROV			Reporter
1:30 pm	BD455662	Counsel For Petitioner:	TROPE AND TROPE - By: SORRELL TROPE and LORI A. HOWE and TARA L. SCOTT (X)	
	Britney Spears (N/A) VS. Kevin Federline (X)	Counsel For Respondent:	KAPLAN & SIMON - By: MARK VINCENT KAPLAN and JAMES M. SIMON (X)	

NATURE OF PROCEEDINGS: EX PARTE APPLICATION – FILED BY RESPONDENT

Matter is called for hearing.

Petitioner's oral motion pursuant to Section 214 F.C. is granted and the matter proceeds as a closed hearing.

The Court and all parties present confer on the record.

The Court makes the following findings pursuant to Family Code §3087. The Court made further specific factual findings pursuant to Family Code §3087 as are described in the transcript of these proceedings. Family Code §3087 provides that: An order for joint custody may be modified or terminated upon the petition of one or both parents or on the Court's own motion if it is shown that the best

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	VS.		
	Kevin Federline (X)		

interest of the child requires modification or termination of the order. If either parent opposes the modification or termination order, the Court shall state in its decision the reasons for modification or termination of the joint custody order.

On August 8, 2007, the Respondent filed an Order to Show Cause Re: Modification of Child Custody; Visitation; Injunctive Order; and Attorney Fees and Costs (Respondent's OSC).

A hearing on the Respondent's OSC was held on September 17, 2007.

Respondent's OSC was continued to November 26, 2007, at the Petitioner's request in order to complete a requested Child Custody Evaluation and to allow the parties to conduct discovery and other preparation for the hearing.

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Based on the evidence presented by the parties in their respective pleadings and during the course of the hearing, the Court made certain orders pursuant to Family Code §3022 (Family Code §3022 provides: The Court may, during the pendency of a proceeding or at any time thereafter, make an order for the custody of a child during minority that seems necessary or proper.)

On September 17, 2007, the Court made certain specific orders with regard to the minor children. The September 17, 2007, orders provided:

The Court makes the following interim orders pursuant to Family Code Section 3022. These orders are made without prejudice pending the child custody evaluation and the full hearing on the Respondent's Order to Show Cause Re: Modification of Child Custody and Visitation.

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For purposes of clarification the minor children referred to in these orders are

Sean Preston Federline, Birth Date: 09-14-05; Jayden James Federline, Birth Date: 09-12-06.

Counsel have met and conferred with regard to selecting a Child Custody Evaluator and have been unsuccessful. Counsel for respondent has previously submitted his list of proposed evaluators. Counsel for petitioner is directed to submit a listing of three proposed evaluators within 24 hours of this date and the Court will make the determination.

Counsel are ordered to forward a copy of the orders issued this date to the Child Custody Evaluator.

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The Court declines to modify the existing custodial timeshare.

The parties' stipulated custodial arraignment as set forth in the Second Further Judgment, remains in full force and effect with the following terms and conditions imposed.

Neither party shall remove the minor children from the State of California, absent the prior written consent of the other parent or prior order of the Court. In all instances of out of state travel with the minor children, whether through stipulation of the parties or prior order of the Court, the party removing the child from the state shall provide the other parent with a full itinerary, complete with all addresses and telephone numbers for the location(s) of where the children will be staying for the